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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SETA SAAD and CHRISTIAN E. SAAD,
individually and as representatives of the
Estate of Raymond Saad,

Plaintiffs,

v.

GUIDANT CORPORATION; GUIDANT
SALES CORPORATION; CARDIAC
PACEMAKERS, INC.; BOSTON
SCIENTIFIC CORPORATION; ASHLEY &
MCMULLEN-WING SUN MORTUARY, a
business entity form unknown, ASHLEY &
MCMULLEN, a business entity form
unknown; and DOES 1 through 20,
inclusive,

Defendants.

) Case No: C 08-00053-PJH
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)
)

**PROPOSED ORDER GRANTING MOTION
FOR REMAND**

) Hearing Date: February 20, 2007
)
)

) Time: 9:00 a.m.
)
)

) Location: Courtroom 3, 17th Floor
)
)

) Honorable Phyllis J. Hamilton
)
)

) Removal Filed: January 4, 2008
)
)

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD, Plaintiff's Motion for

Remand in the above captioned matter came on for hearing on February 20, 2008, at 9:00
a.m, before the honorable Phyllis J. Hamilton, in Courtroom 3 of the above captioned
Court.

After consideration of the papers filed by the parties, and argument thereon, and

1 good cause appearing, **THE COURT HEREBY ORDERS THAT:**

2 The Plaintiffs' Motion for Remand in the above captioned matter is hereby
3 **GRANTED.**

4 The Clerk of this Court shall immediately remand this matter to the Superior
5 Court for the County of San Francisco for further proceedings.
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8 DATED:

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10 By:

11 Honorable Judge Phyllis J. Hamilton
12 United States District Court
13 Northern District of California
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PROOF OF SERVICE

I am employed in the City and County of Santa Rosa, State of California. I am over the age of 18 and not a party to the within action. My business address is 408 College Avenue, Santa Rosa, California 95401. On January 16, 2008, I served the foregoing document(s) described as:

PROPOSED ORDER

on the interested parties by placing () the original (X) a true and correct copy thereof in a sealed envelope addressed as follows:

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**Attorneys for Guidant Corporation,
Guidant Sales Corporation; Cardiac
Pacemakers, Inc., and Boston
Scientific Corporation**

**Attorneys for Cathay Mortuary Wah
Sang Inc. dba Ashley & McMullen
Mortuary**



VIA OVERNIGHT MAIL:

VIA : By delivering such documents to an overnight mail service or an authorized courier in an envelope or package designated by the express service courier addressed to the person(s) on whom it is to be served.



VIA U.S. MAIL:

I am readily familiar with the firm's practice for collection and processing of correspondence for mailing. Under that practice such envelope(s) would be deposited with the U.S. postal service with postage thereon fully prepaid, at Santa Rosa, California.



FEDERAL:

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

I declare under penalty of perjury under the laws of the state of California that the above is true and correct and was executed on January 16, 2008


JEREMY R. FIETZ